AGENDA
BOROUGH OF NORWOOD
MAYOR AND COUNCIL
REGULAR MEETING
JUNE 8, 2016
7:00 PM

MAYOR BARSA

COUNCILMAN MARINO	COUNCILMAN ASCOLESE
COUNCILWOMAN ORECCHIO	COUNCILMAN RAPAPORT
COUNCIL PRESIDENT BRIZZOLARA	COUNCILMAN SCOTT

Call to order

Flag Salute

Statement of Compliance: Adequate notice of this meeting has been provided in accordance with the Open Public Meeting Law, P.L. 1975, Ch.231 setting forth the time, date, place and purpose of this Public Meeting through a legal notice published in The Record and Star Ledger.

Roll Call of the Council

Mayor Barsa _____
Councilman Marino _____
Councilwoman Orecchio_____
Council President Brizzolara _____
Councilman Ascolese____
Councilman Rapaport _____
Councilman Scott _____

General Public Comment

Correspondence

1. Letter from NJ Environmental Infrastructure Trust regarding a recent Refunding Bond Series 2016A-R2 that was sold on May 10, 2016 that will save the Borough $175,570 in debt service repayments
2. Letter from Bergen County Community Development regarding appointments to the Regional Committee for 2016-2017
3. Letter from Bergen County Executive regarding vehicle and equipment auction
4. Letter from NJ DEP regarding an application for Solid Waste Facility Permit Renewal for Miele Sanitation Co. TS
5. Invitation from Bergen County Division of Community Transportation for their Annual Public Hearing on Wednesday, June 15, 2016 at 9:00 a.m.
6. Invitation to the 46th Annual Taste of Greece festival at St. John the Theologian Cathedral in Tenafly
7. Letter from Rockland Electric Co. regarding Vegetation Management-Distribution Line Clearance

Consent Agenda

Matters listed below are considered routine and will be enacted by one motion of the Council and one roll call vote. There will be no separate discussion of these items unless a Council member requests an item be removed.

Approval of the following Resolutions:

16:94 Authorizing the payment of bills and vouchers in the amount of $1,519,883.01
16:95 Appointment of Joseph Palazzola as a permanent Police Officer with the Norwood Police Department
16:96 Award of Contract to Schifano Construction for the 2016 Riverside Cooperative Road Program in the amount of $406,236.75
16:97 Authorizing the Tax Collector to prepare and mail estimated tax bills
16:98 Authorizing the redemption of a tax lien on Block 121, Lot 22.02, 259 Hudson Avenue
16:99 Approving an Agreement with Neglia Engineering for Construction Management Service for the 2016 Riverside Cooperative Paving Project
16:100 Authorizing a contract with First Environment, Inc. for Professional Environmental Engineering and Consulting Services
16:101 Approving Change Order No. 1 for the Livingston Street Streetscape Phase III
16:102 Authorizing the CFO to close out the Tax Office Change Draw
16:103 Civil Rights Resolution
16:104 Authorizing a Snow Plow Agreement with the County of Bergen
16:105 Designating Municipal Representatives for Community Development Regional Committee
16:106 Approving and Authorizing Execution of Developer's Agreement with CSH Norwood, LLC (Capital Senior Housing)

Public Hearing of Ordinance 16:09 entitled:

An Ordinance Amending Chapter 120 Titled "Fences" and Chapter 233 Titled "Zoning in the Code of the Borough of Norwood, Regarding the Regulation of Fences in the Borough

Public Hearing of Ordinance 16:10 entitled:

- An Ordinance to Amend an Ordinance Entitled "An Ordinance to Fix Salaries, Wages and Compensation of Certain Officials, Officers and Employees of the Borough of Norwood, County of Bergen, State of New Jersey" and to provide for and determine the rate and method of compensation for the Technical Assistant to the Construction Office Position, Effective May 1, 2016

Introduction of Ordinance 16:11 entitled:

An Ordinance Amending Chapter 164 to the Code of the Borough of Norwood Authorizing the Licensing of Outdoor Cafes in the Borough of Norwood

Public Hearing on this ordinance will be Wednesday, July 13, 2016 at 7:00 p.m.

Introduction of Ordinance 16:12 entitled:

Vacating Penfield Street in the Borough of Norwood

Public Hearing on this ordinance will be Wednesday, July 13, 2016 at 7:00 p.m.

Introduction of Ordinance 16:13 entitled:

An Ordinance Amending Chapter 68 of the Code of the Borough of Norwood to Regulate Advertising without consent

Public Hearing on this ordinance will be Wednesday, July 13, 2016 at 7:00 p.m.

Committee Reports

Open to the Public for Comment

Approval of Resolution 16:107 authorizing the Governing Body to convene into closed session to discuss the legal and personnel issues.

Adjournment

BOROUGH OF NORWOOD

BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 16:94

OFFERED BY ..... SECONDED BY .....

RESOLUTION TO AUTHORIZE THE PAYMENT OF BILLS AND VOUCHERS

WHEREAS, the claims and accounts listed below having been authorized and approved by the Chairman of the Committee, audited by the CFO, examined by the Finance Committee found correct.

THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby authorize the payment of these claims and warrants be drawn therefore when funds are available in the amount of $1,519,883.01 to be disbursed as follows:

NAME OF FUND	SALARY/WAGE	OTHER EXPENSE	TOTAL AMOUNT
CURRENT	$	$ 1,069,208.02	$ 1,069,208.02
CURRENT (APPROP RESERVES)		$ 1,454.56	$ 1,454.56
PAYROLL (05/15/16)	$136,009.60		
Social Security	$ 5,469.46		
DCRP (Pension)	$ 12.47		
PAYROLL (Trust)	$ 5,057.45		
PAYROLL (05/27/16)	$126,028.01		
Social Security	$ 4,989.74		
DCRP (Pension)	$ 12.47		
TOTAL		$ 277,579.20	
GRANT	$ 5,016.00	$ 5,016.00	
CAPITAL	$ 104,296.47	$ 104,296.47	
TRUST	$ 36,410.00	$ 36,410.00	
OPEN SPACE	$ 13,893.50	$ 13,893.50	
ANIMAL TRUST	$ 2,079.20	$ 2,079.20	
DEVELOPERS TRUST	$ 9,946.06	$ 9,946.06	
TOTAL		**$ 1,519,883.01**	

Member	Aye	Nay	Abstain	Absent
MARINO				
ORECCHIO				
BRIZZOLARA				
ASCOLESE				
RAPAPORT				
SCOTT				
MAYOR (tie)				

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of Norwood at the meeting held on ..... 20.....

SEAL

.....
Borough Clerk

MGL PRINTING SOLUTIONS N057-03

Range of Checking Accts: 01CURRENT to 20DEVESCRFIRST Range of Check Dates: 06/08/16 to 06/08/16
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor		Amount Paid	Reconciled/Void Ref Num
01CURRENT		CURRENT ACCOUNT			
1484	06/08/16	ALEXA005	ALEXANDER M. GOODMAN	10.00	273
1485	06/08/16	ANDR0010	ANDREW T. FEDE, ESQ.	7,446.13	273
1486	06/08/16	ANTHO005	ANTHONY BLANDINO	1,000.60	273
1487	06/08/16	APPR0010	APPROVED SURGICAL SUPPLIES, IN	220.00	273
1488	06/08/16	ARCAR005	ARCARI & IOVINO ARCH PC INC	500.00	273
1489	06/08/16	ARROW005	ARROW TREE INC	95.00	273
1490	06/08/16	AVAY0015	AVAYA FINANCIAL SERVICES	711.11	273
1491	06/08/16	BENAQ005	BENAQUISTA & SONS INC	118.00	273
1492	06/08/16	BEYER005	BEYER BROS. CORP.	546.36	273
1493	06/08/16	BOCHI001	NICHOLAS AND LUCY BOCHI	4,233.54	273
1494	06/08/16	BROAD005	BROADVIEW NETWORKS #1	173.59	273
1495	06/08/16	BROAD010	BROADVIEW NETWORKS #2	573.27	273
1496	06/08/16	BUGDO005	BUG DOCTOR INC	240.00	273
1497	06/08/16	CAMIL005	CAMILO DIRESE	1,732.35	273
1498	06/08/16	CARTE005	CARTER CORRISTON	200.00	273
1499	06/08/16	CERTI005	CERTIFIED SPEEDOMETER INC	228.00	273
1500	06/08/16	CONSH010	CONSHOHOCKEN STEEL PRODUCTS	3,739.00	273
1501	06/08/16	CSXTR005	CSX TRANSPORTATION, INC.	251.17	273
1502	06/08/16	DARTC005	DART COMPUTER SERVICES, INC.	2,100.00	273
1503	06/08/16	DERCO010	D'ERCOLE FARM LLC	206.32	273
1504	06/08/16	DEUNI005	D & E UNIFORMS	979.95	273
1505	06/08/16	DRAGE005	DRAGER SAFETY DIAGNOSTICS, IN	66.00	273
1506	06/08/16	DURIE005	DURIE LAWN MOWER & EQUIPMENT	230.80	273
1507	06/08/16	EAST0040	EAST COAST EMERG/LGT INC	955.32	273
1508	06/08/16	EMERS005	EMERSON FENCE INC	328.08	273
1509	06/08/16	FASSBEN1	CRISTINA FASSBENDER	19,694.17	273
1510	06/08/16	FERGU005	FERGUSON-LAKEWOOD#501	560.50	273
1511	06/08/16	FERRA005	FERRAIOLI, WIELKOTZ, CERULLO	1,000.00	273
1512	06/08/16	FIRS0065	FIRST ENVIRONMENT INC.	411.53	273
1513	06/08/16	FREMG005	FREMGEN POWER EQUIP. INC.	708.90	273
1514	06/08/16	GALLA005	GALLAGHER, JANET	100.00	273
1515	06/08/16	GANNL005	GANN LAW BOOKS	172.00	273
1516	06/08/16	GRASS005	GRASS ROOTS INC	1,976.55	273
1517	06/08/16	GROVE005	GROVE, LINDA	1,216.02	273
1518	06/08/16	GUARD005	GUARDIAN	4,129.44	273
1519	06/08/16	HENRI005	HENRICI, STEVEN	1,334.13	273
1520	06/08/16	HERBE005	HERBERT & WEISS, LLP	506.19	273
1521	06/08/16	HIGHW005	HIGHWAY TRAFFIC SUPPLY INC.	144.28	273
1522	06/08/16	HITOU005	HI TOUCH INC	557.32	273
1523	06/08/16	INTER010	INTERNATIONAL FIREWORKS MFG CO	20,000.00	273
1524	06/08/16	JACKS005	JACK'S PETTING FARM, INC	540.00	273
1525	06/08/16	JOHNF010	JOHN FOX ELECTRIC	1,500.00	273
1526	06/08/16	JOHNV010	JOHN VERDIGI III ELEC CONT LLC	120.00	273
1527	06/08/16	JUARE005	JUAREZ EQUIPMENT REPAIR LLC	620.00	273
1528	06/08/16	JUDGE005	JUDGE DONALD HOLDSWORTH	300.00	273
1529	06/08/16	KAUKE005	KAUKER & KAUKER LLC	1,300.00	273
1530	06/08/16	LAUR0010	LAURA A. NUNNINK, ESQ.	1,050.00	273
1531	06/08/16	LOREN005	LORENZEN, JOAN	1,621.35	273
1532	06/08/16	MARIO005	MARIO'S PIZZA	397.00	273

Check #	Check Date	Vendor		Amount Paid	Reconciled/Void	Ref Num
01CURRENT		CURRENT ACCOUNT	Continued			
1533	06/08/16	MASER005	MASER CONSULTING P.A.	3,157.50		273
1534	06/08/16	MCMAC005	MCMACKIN, LORRAINE	592.52		273
1535	06/08/16	MCVEY005	MCVEY, JAMES J.	1,609.89		273
1536	06/08/16	MEADO005	MEADOWLANDS FORD TRUCK S. INC	359.34		273
1537	06/08/16	MIDA0010	MID-ATLANTIC PESTICIDE	95.00		273
1538	06/08/16	NJDIV005	NJ DIV OF ALCOLHOL BEV CONTROL	21.00		273
1539	06/08/16	NJLEA005	NJ LEAGUE OF MUNICIPALITIES	180.00		273
1540	06/08/16	NORT0070	NORTH JERSEY MEDIA GROUP INC	585.91		273
1541	06/08/16	NORT0080	NORTHVALE FLORIST	150.00		273
1542	06/08/16	NORT0150	NORTHEASTERN ABORIST INC	292.18		273
1543	06/08/16	NORW0010	NORWOOD FIRE DEPT.	2,199.50		273
1544	06/08/16	NORW0025	NORWOOD BOARD OF EDUCATION	4,869.56		273
1545	06/08/16	NORW0030	NORWOOD PUBLIC LIBRARY	35,636.50		273
1546	06/08/16	ONEC0010	ONE CALL CONCEPTS INC	80.00		273
1547	06/08/16	OUTRA005	OUTRAGEHISSS PETS INC	375.00		273
1548	06/08/16	PALIS005	PALISADES SALES CORPORATION	1,064.00		273
1549	06/08/16	PIERC005	PEIRCE EAGLE EQUIP CO	55.11		273
1550	06/08/16	PITN0025	PITNEY BOWES (POSTAGE BY PHONE	3,000.00		273
1551	06/08/16	PSEGC005	PSE&G CO.	631.93		273
1552	06/08/16	RACHL005	RACHLES/MICHELES OIL CO INC	2,653.08		273
1553	06/08/16	READY005	READY REFRESH BY NESTLE	228.78		273
1554	06/08/16	ROCKL005	ROCKLAND ELECTRIC CO.	6,898.93		273
1555	06/08/16	RUDER005	RUDERMAN, HORN & ESMERADO, PC	1,574.80		273
1556	06/08/16	RUSHO005	RUSH ORDER TEES.COM	415.25		273
1557	06/08/16	SAFRA005	SAFRAN MORPHO TRAK INC	2,633.69		273
1558	06/08/16	SPACC005	SPACCAVENTO AUTO SERVICE	368.98		273
1559	06/08/16	SPOSA005	SPOSA, RICHARD	2,146.29		273
1560	06/08/16	SUBU0015	SUBURAN GLASS & MIRROR	358.00		273
1561	06/08/16	SUEZW005	SUEZ WATER NEW JERSEY	10,708.86		273
1562	06/08/16	SWIFT005	SWIFTREACH NETWORKS, INC.	454.92		273
1563	06/08/16	THEES005	THE ESTATE AT	1,335.00		273
1564	06/08/16	THEZO005	THE ZONE	2,200.00		273
1565	06/08/16	THOMS005	THOMSON REUTERS - WEST	352.00		273
1566	06/08/16	TILCO005	TILCON NEW YORK, INC.	146.99		273
1567	06/08/16	TINER005	TINER, WILLIAM	957.90		273
1568	06/08/16	TRIST005	TRI-STATE KNIFE	103.00		273
1569	06/08/16	VANTA005	VANTAGE HEALTH SYSTEM	1,000.00		273
1570	06/08/16	VERAL005	V.E. RALPH & SON, INC.	514.08		273
1571	06/08/16	VERI0010	VERIZON WIRELESS	856.46		273
1572	06/08/16	VERI0020	VERIZON COMMUNICATINS (FIOS)	7.96		273
1573	06/08/16	VERIZ010	VERIZON	558.63		273
1574	06/08/16	VERIZ015	VERIZON	70.68		273
1575	06/08/16	VERSA005	VERSALIFT EAST. INC.	900.63		273
1576	06/08/16	VILL0010	VILLANI BUS COMPANY INC	1,000.00		273
1577	06/08/16	WAGNE005	WAGNER TOURS INC	825.00		273
1578	06/08/16	WBMAS005	W.B. MASON CO., INC.	1,815.25		273

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	95	0	182,884.07	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	95	0	182,884.07	0.00

Check #	Check Date	Vendor		Amount Paid	Reconciled/Void	Ref Num
01CURRENT MANU		CURRENT MANUAL CHECKING				
160841	06/08/16	NORW0025	NORWOOD BOARD OF EDUCATION	838,074.83		280
160859	06/08/16	SNJHE005	SNJ HEALTH BENEFITS PROGRAM	54,719.68		281

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	2	0	892,794.51	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	2	0	892,794.51	0.00

04CAPITAL		CAPITAL				
74	06/08/16	FORCE005	FORCELLATI BROTHERS INC	1,505.00		274
75	06/08/16	ZUCCA005	ZUCCARO & SONS, INC.	102,791.47		274

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	2	0	104,296.47	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	2	0	104,296.47	0.00

12TRUST		TRUST				
38	06/08/16	FASSBEN1	CRISTINA FASSBENDER	31,000.00		275
39	06/08/16	KEVI0030	KEVIN CORRISTON	600.00		275
40	06/08/16	MINUT005	MINUTEMAN PRESS INC	197.50		275
41	06/08/16	REALA005	REAL AMUSEMENTS LLC	4,612.50		275

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	4	0	36,410.00	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	4	0	36,410.00	0.00

13OPENSPACE		OPEN SPACE TRUST				
16	06/08/16	BDPAV005	B&D PAVING INC.	2,564.40		276
17	06/08/16	ROCPL005	ROC PLUMBING & HEATING	10,410.00		276
18	06/08/16	SUEZW005	SUEZ WATER NEW JERSEY	219.10		276
19	06/08/16	WESTP005	WESTPHAL WASTE SERVICES INC	700.00		276

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	4	0	13,893.50	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	4	0	13,893.50	0.00

15ANIMAL		ANIMAL ACCOUNT				
27	06/08/16	DEPTO005	DEPT OF HEALTH & SR SERVICES	154.20		277
28	06/08/16	MUNID005	MUNIDEX INC	1,925.00		277

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	2	0	2,079.20	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	2	0	2,079.20	0.00

19DEVESCROW		ESCROW				
44	06/08/16	NEGLI005	NEGLIA ENGINEERING INC	2,200.00		278

Check #	Check Date	Vendor		Amount Paid	Reconciled/Void	Ref Num
19DEVESCROW		ESCROW	Continued			

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	1	0	2,200.00	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	1	0	2,200.00	0.00

20DEVESCRFIRST DEV ESCROW FIRST COMMERCE

22	06/08/16	NEGLI005	NEGLIA ENGINEERING INC	7,746.06		279

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	1	0	7,746.06	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	1	0	7,746.06	0.00

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	111	0	1,242,303.81	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	111	0	1,242,303.81	0.00

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
Current Fund Appropriations	5-01	1,454.56	0.00	0.00	1,454.56
Current Fund Appropriations	6-01	207,205.48	0.00	862,002.54	1,069,208.02
General Capital	C-04	104,296.47	0.00	0.00	104,296.47
	G-01	5,016.00	0.00	0.00	5,016.00
Trust Other	T-12	36,410.00	0.00	0.00	36,410.00
	T-13	13,893.50	0.00	0.00	13,893.50
	T-15	2,079.20	0.00	0.00	2,079.20
Year Total:		52,382.70	0.00	0.00	52,382.70
Total Of All Funds:		370,355.21	0.00	862,002.54	1,232,357.75

Project Description	Project No.	Project Total
214 TAPPAN ROAD	19-8215-06	2,200.00
D'ERCOLE (START A NEW)8215-09	20-0374-51	6,765.90
231 HUDSON AVENUE 8215-12	20-0376-18	365.16
CAPITAL SENIOR HOUSING 8215-15	20-0377-25	615.00
Total Of All Projects:		9,946.06

BOROUGH OF NORWOOD

BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 16:95

OFFERED BY ..... SECONDED BY .....

APPOINTMENT OF PATROLMAN JOSEPH PALAZZOLA AS PERMANENT POLICE OFFICER IN THE NORWOOD POLICE DEPARTMENT

WHEREAS, Patrolman Joseph Palazzola was appointed a probationary police officer with the Norwood Police Department on June 15, 2015; and

WHEREAS, Patrolman Palazzola has completed twelve months of probation; and

WHEREAS, Patrolman Palazzola has performed his duties faithfully, impartially, and justly since joining the Norwood Police Department; and

WHEREAS, Patrolman Palazzola gets along with his fellow officers and superiors and is a valuable asset to the Norwood Police Department; and

WHEREAS, Chief Krapels has recommended that the Mayor and Council appoint Patrolman Palazzola for permanent appointment to the Norwood Police Department.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Norwood, County of Bergen and State of New Jersey that Patrolman Joseph Palazzola is hereby appointed a permanent member of the Norwood Police Department.

Member	Aye	Nay	Abstain	Absent
MARINO				
ORECCHIO				
BRIZZOLARA				
ASCOLESE				
RAPAPORT				
SCOTT				
MAYOR (tie)				

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of Norwood at the meeting held on ..... 20.....

SEAL

.....
Borough Clerk

MGL PRINTING SOLUTIONS N057-03

BOROUGH OF NORWOOD

BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 16:96

OFFERED BY ..... SECONDED BY .....

AWARD BID FOR THE 2016 ROAD RESURFACING PROGRAM ON BEHALF OF THE BOROUGH OF NORWOOD

WHEREAS, NJSA 40A:11-10(1) authorizes contracting units to enter into cooperative pricing agreements; and

WHEREAS, the Borough of Northvale has volunteered to act as "Lead Agency" for the purchase of work, materials and supplies for the Riverside Cooperative for the year 2016; and

WHEREAS, the Borough of Northvale received eight (8) bids on April 13, 2016 for the 2016 Riverside Cooperative Road Improvement Program on behalf of the Boroughs of Alpine, Bergenfield, Demarest, Englewood Cliffs, Haworth, Northvale, Norwood, and River Edge; and

WHEREAS, the bids have been tabulated and reviewed by Carl O'Brien of Maser Consulting, Borough Engineer for the Borough of Northvale and for the Riverside Cooperative.

NOW, THEREFORE, BE IT RESOLVED that a contract be awarded to Schifano Construction, 1 Smalley Avenue, Middlesex, NJ 08846 in the amount of $2,278,063.11.

BE IT FURTHER RESOLVED that the Northvale Mayor and Borough Clerk be and are hereby authorized and directed to execute a Master Contract with the above named firm for the 2016 road Resurfacing Program acting as the Lead Agency on behalf of the Riverside Cooperative, 35-RC; and

BE IT FURTHER RESOLVED that the Boroughs of Boroughs of Alpine, Bergenfield, Demarest, Englewood Cliffs, Haworth, Northvale, Norwood, and River Edge shall be responsible for entering into individual contracts with the above named firm covering the scope of work under the Base Bid for each respective municipality; and

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of Norwood at the meeting held on ..... 20.....

SEAL

.....
Borough Clerk

MGL PRINTING SOLUTIONS N057-03

BOROUGH OF NORWOOD

BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 16:96

OFFERED BY ..... SECONDED BY .....

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk be and are hereby authorized and directed to execute a contract with the above named firm for the Borough of Norwood's 2016 Resurfacing Program in the amount of $406,236.75 included in the base bid; and

BE IT FINALLY RESOLVED that funds are available in the 2015 Multi - Purpose Ordinance for the Borough of Norwood work under the contract for the 2016 Road Resurfacing Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5-:30-14.5 and any other applicable requirements, I, Judith F. Curran, Chief Financial Officer of the Borough of Norwood, has ascertained that there are available sufficient funds in the Capital Account Fund, C-04-55-1508-003, for the 2016 Road Improvement Program.

VENDOR: Schifano Construction
1 Smalley Avenue
Middlesex, New Jersey 08846

APPROPRIATION: $406,236.75

Dated: June 8, 2016

Judith Curran
Chief Financial Officer

Member	Aye	Nay	Abstain	Absent
MARINO				
ORECCHIO				
BRIZZOLARA				
ASCOLESE				
RAPAPORT				
SCOTT				
MAYOR (tie)				

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of Norwood at the meeting held on ..... 20.....

SEAL

Borough Clerk

MGL PRINTING SOLUTIONS N057-03

BOROUGH OF NORWOOD

BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 16:97

OFFERED BY ..... SECONDED BY .....

A RESOLUTION AUTHORIZING THE BOROUGH OF NORWOOD
TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS
IN ACCORDANCE WITH P.L. 1994 C. 72

WHEREAS, the Borough of Norwood had a public hearing regarding its scheduled budget adoption on May 11, 2016 and the Bergen County Board of Taxation is unable to certify Norwood's tax rate at this time and the Borough of Norwood's Tax Collector will be unable to mail the Borough's 2016 tax bills on a timely basis; and

WHEREAS, the Borough of Norwood's Tax Collector and Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies; and

WHEREAS, in accordance with Chapter 72, P.L. 1994, the Governing Body of the Borough of Norwood requests the Director of the Division of Local Government Services to approve the estimated tax levy exceeding the 105% listed below. Approval will enable the Borough to meet its financial obligations, maintain the tax collection rate, provide uniformity for tax payments and save the unnecessary cost of interest on borrowing.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Norwood, in the County of Bergen, State of New Jersey on this 8th day of June, 2016, as follows:

1. The Borough of Norwood's Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Borough for the third installment of 2016 taxes. The Tax Collector shall proceed upon approval from the Director and take such actions as are permitted and required by P.L. 1993, c.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).

2. The entire estimated tax levy for 2016 is hereby set at $28,092,008.81

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of Norwood at the meeting held on ..... 20.....

SEAL

..... Borough Clerk

MGL PRINTING SOLUTIONS N057-03

BOROUGH OF NORWOOD

CALCULATION OF PROPOSED 2016 ESTIMATED TAX RATE

BASIS OF PROPOSED TAX LEVY AND TAX RATE
2016 MUNICIPAL BUDGET - ADOPTED
2016 LOCAL SCHOOL BUDGET - ADOPTED
2016 BERGEN COUNTY BUDGET - INTRODUCED
2016 BERGEN COUNTY OPEN SPACE BUDGET - INTRODUCED
2016 REGIONAL HIGH SCHOOL BUDGET - ADOPTED

ACTUAL 2015 TAX LEVY AND RATE

	LEVY	TAX RATE
MUNICIPAL	7,802,747.03	0.6610
MUNICIPAL OPEN SPACE	118,053.00	0.0100
LOCAL SCHOOL	9,325,937.00	0.7900
REGIONAL HIGH SCHOOL	6,692,948.00	0.5670
COUNTY	2,946,757.65	0.2500
COUNTY OPEN SPACE	31,020.26	0.0030
TOTALS	26,917,462.94	2.2810

2016 ESTIMATED RANGE FOR TAX LEVY
(PERCENTAGE OF 2015 LEVY)

	95.00%	105.00%
MUNICIPAL	7,412,609.68	8,192,884.38
LOCAL SCHOOL	112,150.35	123,955.65
LOCAL SCHOOL	8,859,640.15	9,792,233.85
REGIONAL HIGH SCHOOL	6,358,300.60	7,027,595.40
COUNTY	2,799,419.77	3,094,095.53
COUNTY OPEN SPACE	29,469.25	32,571.27
TOTALS	25,571,589.79	28,263,336.09

2016 ESTIMATED TAX RATE

2016 NET VALUE TAXABLE - 1,180,538,000

AMOUNT TO BE RAISED BY TAXATION:		TAX RATE:	
MUNICIPAL	7,976,140.00	0.676	(ADOPTED BUDGET WITHIN 105% RANGE)
MUNICIPAL OPEN SPACE	118,053.00	0.010	(PROPOSED BUDGET WITHIN 105% RANGE)
LOCAL SCHOOL	9,718,523.00	0.823	(ADOPTED BUDGET OVER 105% RANGE)
REGIONAL HIGH SCHOOL	7,152,626.00	0.606	(ADOPTED BUDGET OVER 105% RANGE)
COUNTY	3,094,095.53	0.262	(APPROVED BUDGET WITHIN 105% RANGE)
COUNTY OPEN SPACE	32,571.27	0.003	(APPROVED BUDGET WITHIN 105% RANGE)
TOTALS	28,092,008.81	2.380	

CERTIFIED BY: _____
JUDITH CURRAN
Chief Financial Officer and Tax Collector

BOROUGH OF NORWOOD

BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 16:98

OFFERED BY ..... SECONDED BY .....

WHEREAS, at the Tax Sale held on November 4, 2015, the Borough of Norwood sold a tax lien on Block 121, Lot 22.02, also known as 259 Hudson Avenue, for delinquent 2014 taxes, owned by H.J. Han, Trustees etals and;

WHEREAS, this Tax Lien Certificate #15-00002 was sold to Cristina Fassbender for 0.00% with a premium of $31,000.00;

WHEREAS, the tax collector has received two checks from the law firm of Mak and Liang, LLC, on behalf of their client, purchaser of 259 Hudson Avenue, for the redemption of Tax Lien Certificate # 15-0002 in the amount of $19,694.17 after the tax collector received verification from the lien holder as to the total amount due as of June 8, 2016, this date being the date of the next council meeting after such redemption request;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Norwood, New Jersey that Judith Curran, Tax Collector, be authorized to refund a total of $50,694.17 which includes the total amount of redemption and $31,000.00 premium payable to Cristina Fassbender, 26 Bluefields Lane, Blauvelt, NY 10913. The premium must be returned as redemption is being made within the 5 year State statute.

Tax Lien	6,531.13			
Interest on Certificate:	0.00			
4% Redemption Penalty	261.25	**1099:**		
Subsequent Taxes	11,715.26	Sub. Interest:	$	1,131.53
Subsequent Interest	1,131.53			
Year End Penalty		4% Redemption Penalty		261.25
Recording Fee	43.00			
Search Fee	12.00			
TOTAL	**$ 19,694.17**	**TOTAL 1099:**	**$**	**1,392.78**

June 8, 2016

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of Norwood at the meeting held on ..... 20.....

SEAL

..... Borough Clerk

MGL PRINTING SOLUTIONS N057-03

BOROUGH OF NORWOOD

BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 16:99

OFFERED BY ..... SECONDED BY .....

APPROVING AN AGREEMENT WITH NEGLIA ENGINEERING FOR CONSTRUCTION MANAGEMENT SERVICES FOR 2016 RIVERSIDE COOPERATIVE PAVING PROJECT

WHEREAS, the Borough of Norwood has requested Neglia Engineering Associates to provide construction management services for the Riverside Cooperative Paving Project; and

WHEREAS, Neglia Engineering Associates submitted a proposal dated May 5, 2016 to provide such services for a cost not to exceed Twenty-four Thousand Dollars ($24,000.00); and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the Capital Improvement Fund and the certification is attached.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Norwood that the Agreement for Construction Management Services for the Riverside Cooperative Paving Project submitted by Neglia Engineering Associates for a cost not to exceed $24,000.00 is hereby accepted and approved.

Member	Aye	Nay	Abstain	Absent
MARINO				
ORECCHIO				
BRIZZOLARA				
ASCOLESE				
RAPAPORT				
SCOTT				
MAYOR (tie)				

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of Norwood at the meeting held on ..... 20.....

SEAL

.....
Borough Clerk

MGL PRINTING SOLUTIONS N057-03

BOROUGH OF NORWOOD

BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 16:100

OFFERED BY ..... SECONDED BY .....

AUTHORIZING CONTRACT WITH FIRST ENVIRONMENT, INC. FOR PROFESSIONAL ENVIRONMENTAL ENGINEEERING AND CONSULTING SERVICES

WHEREAS, the Borough has the need for professional environmental engineering and consulting services with regard to the completion of the N.J.D.E.P. requirements following the removal of an underground heating oil tank at 455 Broadway and has solicited quotations in accordance with N.J.S.A. 40A:11-6.1; and

WHEREAS, First Environment, Inc., 91 Fulton Street, Boonton, NJ ("First Environment") is qualified to provide these services, which are of a professional nature, and the Mayor and Council intends to award a contract to First Environment because its proposal is most advantageous, price and other factors considered, and pursuant to N.J.S.A. 19:44A-20.5, the purchasing agent has determined and certified in writing that the value of the contract will not exceed $17,500; and

WHEREAS, the Chief Financial Officer's certification of available uncommitted appropriations in the current fund is attached.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Norwood as follows that:

1. A contract is awarded to First Environment in the amount not to exceed $2,000 for the term of one year. The services will be provided in accordance with First Environment's May 9, 2016 proposal on file with the Borough. The Mayor and Clerk are hereby authorized and directed to execute a contract to be prepared by the Borough Attorney;

2. This contract is awarded without competitive bidding pursuant to N.J.S.A. 40A: 11- 6.1(a) and as a professional service contract because of the qualitative nature of the services to be provided and because the contract is for a service performed by a person authorized by law to practice a recognized profession that is regulated by law; and

3. The Borough Clerk is authorized and directed to cause a brief notice of this contract to be published in The Record, stating the name, duration, service, and amount of the contract and that this resolution and contract are to be maintained on file with the Borough Clerk and are to be available for public inspection during regular business hours. The determination of value shall be placed on file with this resolution.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of Norwood at the meeting held on ..... 20.....

SEAL

.....
Borough Clerk

MGL PRINTING SOLUTIONS N057-03

BOROUGH OF NORWOOD

BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 16:101

OFFERED BY ..... SECONDED BY .....

APPROVAL OF CHANGE ORDER NO. 1
LIVINGSTON STREET STREETSCAPE PHASE III

BE IT RESOLVED by the Mayor and Council of the Borough of Norwood, Bergen County, New Jersey, upon the recommendation of the Borough Engineer that the Change Order for the contract listed below is hereby approved.

TITLE OF JOB: Livingston Street Streetscape Phase III

CONTRACTOR: Zuccaro, Inc., 248 Alberta Drive, Saddle Brook, NJ 07663

CHANGE ORDER NO. 1

AMOUNT OF CHANGE THIS RESOLUTION: $354.75 (0.19%) Decrease

AND, BE IT FURTHER RESOLVED that the Mayor and Council confirm the Livingston Street Streetscape Phase III project was constructed by Zuccaro, Inc. in accordance with the Plans and Specifications and any approved Change Orders, as directed by the Borough Engineer.

Member	Aye	Nay	Abstain	Absent
MARINO				
ORECCHIO				
BRIZZOLARA				
ASCOLESE				
RAPAPORT				
SCOTT				
MAYOR (tie)				

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of Norwood at the meeting held on ..... 20.....

SEAL

..... Borough Clerk

MGL PRINTING SOLUTIONS N057-03

BOROUGH OF NORWOOD

BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 16:102

OFFERED BY ..... SECONDED BY .....

RESOLUTION AUTHORIZING THE CFO TO CLOSE OUT THE CHANGE FUND IN THE TAX OFFICE

WHEREAS, during the 2016 audit of the Borough of Norwood the auditor for the Borough of Norwood, Ferraioli, Weilkotz, Cerrullo & Cuva, P.A., recommended that the CFO close out the change fund since the Borough of Norwood has a no cash policy in place;

WHEREAS, the auditor and the CFO verified that the amount in the change fund in the tax office was $129.85 as of May 31, 2016;

WHEREAS, the auditor and the CFO both agree that this money shall be deposited in the current fund;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Norwood, New Jersey, that the CFO be authorized to close the change fund and deposit these funds into the current fund per the recommendation of the auditor.

Member	Aye	Nay	Abstain	Absent
MARINO				
ORECCHIO				
BRIZZOLARA				
ASCOLESE				
RAPAPORT				
SCOTT				
MAYOR (tie)				

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of Norwood at the meeting held on ..... 20.....

SEAL

.....
Borough Clerk

MGL PRINTING SOLUTIONS N057-03

BOROUGH OF NORWOOD

BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 16:103

OFFERED BY ..... SECONDED BY .....

CIVIL RIGHTS RESOLUTION

A RESOLUTION TO AFFIRM THE BOROUGH OF NORWOOD'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of the Borough of Norwood to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of the Borough of Norwood has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Mayor and Council that:

Section 1: No official, employee, appointee or volunteer of the Borough of Norwood by whatever title known, or any entity that is in any way a part of the Borough of Norwood shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee, volunteer, or entity is engaged in or acting on behalf of the Borough of Norwood's business or using the facilities or property of the Borough of Norwood.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough of Norwood to provide services that otherwise could be performed by the Borough of Norwood.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of Norwood at the meeting held on ..... 20.....

SEAL

..... Borough Clerk

MGL PRINTING SOLUTIONS N057-03

BOROUGH OF NORWOOD

BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 16:104

OFFERED BY ..... SECONDED BY .....

RESOLUTION AUTHORIZING SNOW PLOW AGREEMENT WITH BERGEN COUNTY

BE IT RESOLVED by the Council of the Borough of Norwood, County of Bergen, and State of New Jersey that Mayor Barsa is hereby authorized to sign the Municipal Snow Plow Agreement between the Borough of Norwood and the County of Bergen for the 2016-2018 snow plowing season.

Member	Aye	Nay	Abstain	Absent
MARINO				
ORECCHIO				
BRIZZOLARA				
ASCOLESE				
RAPAPORT				
SCOTT				
MAYOR (tie)				

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of Norwood at the meeting held on ..... 20.....

SEAL

..... Borough Clerk

MGL PRINTING SOLUTIONS N057-03

BOROUGH OF NORWOOD

BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 16:105

OFFERED BY ..... SECONDED BY .....

Municipal Representative for Community Development Regional Committee.

WHEREAS, the Borough of Norwood has entered into a Three Year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40A: 8-1 et seq. and Title 1 of the Housing and Community Development Act of 1974; and

WHEREAS, said Agreement requires that Municipal Representatives be appointed by the Governing Body of the community to be part of the Community Development Regional Committee for a term of one year commencing with the fiscal year of July 1, 2016 through June 30, 2017.

NOW, THEREFORE, BE IT RESOLVED, that the governing body hereby appoints Mayor James P. Barsa and Councilman Barry Scott, as its representatives to participate on the Community Development Regional Committee.

AND BE IT FURTHER RESOLVED, that Lorraine McMackin, RMC, CMC, Borough Clerk/Administrator is hereby appointed as an alternate representative on the Community Development Regional Committee.

ROLL CALL:

	Ayes	Nays	Abstain	Absent
Marino				
Orecchio				
Brizzolara				
Ascolese				
Rapaport				
Scott				

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of Norwood at the meeting held on ..... 20.....

SEAL

..... Borough Clerk

MGL PRINTING SOLUTIONS N057-03

BOROUGH OF NORWOOD

BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 16:106

OFFERED BY ..... SECONDED BY .....

RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF DEVELOPER'S AGREEMENT WITH CSH NORWOOD, LLC (CAPITOL SENIORS HOUSING)

WHEREAS, CSH Norwood, LLC (Capitol Seniors Housing) ("Developer") filed an application with the Borough of Norwood Zoning Board of Adjustment ("Board") seeking approval of a site plan with variances for an application for the development of the property now or formerly known as Block 126, Lots 2, 3.01, and 3.02 on the Borough's tax map; and

WHEREAS, the Board granted variance and site plan approval by a resolution dated December 3, 2015 conditioned on, among other things, execution of a developer agreement with the Borough; and

WHEREAS, an agreement between the Borough and the Developer has been prepared by the Board Attorney and the Borough Attorney; and

WHEREAS, the Borough Council now seeks to approve and authorize the execution of the developer agreement to effectuate the intent and purpose of the Board's approval.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Norwood authorizes the Mayor to execute and bind the Borough to a developer's agreement with the Developer, as provided by statute and in the form on file with the Borough Clerk.

Member	Aye	Nay	Abstain	Absent
MARINO				
ORECCHIO				
BRIZZOLARA				
ASCOLESE				
RAPAPORT				
SCOTT				
MAYOR (tie)				

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of Norwood at the meeting held on ..... 20.....

SEAL

.....
Borough Clerk

MGL PRINTING SOLUTIONS N057-03

Borough of Norwood

Ordinance No. 16:11

An Ordinance Amending Chapter 164 to the Code of the Borough of Norwood Authorizing the Licensing of Outdoor Cafes in the Borough of Norwood

WHEREAS, on July 28, 2010 the Mayor and Council of the Borough of Norwood adopted an ordinance authorizing outdoor sidewalk cafes and establishing procedures and rules and regulations for the licensing of outdoor sidewalk cafes in the appropriate areas of the Borough; and

WHEREAS, the purpose of this ordinance is to amend the provision limiting the locations where outdoor café licenses may be granted to permit the licensing and regulation of outdoor cafes wherever they may otherwise be lawfully operating in the Borough.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Norwood as follows:

Section 1: Chapter 164 of the Code of the Borough of Norwood titled "Outdoor Sidewalk Cafes" is amended in section 164-3(A) to state:

164-3. Standards for Licensing. No license will be issued hereunder unless the licensee meets the following conditions:

A. The licensee must operate an eating establishment lawfully operating and existing in the Borough in the following locations: Livingston Street between Rockland Avenue and Broadway, Broad Street between Broadway and Blanch Avenue, and 595 Broadway. The licensee must have existing approved indoor seating, and the total combined indoor and outdoor seating will not exceed the maximum number of indoor seating allowed by state and local regulation.

Section 2: All ordinances or parts of ordinances that are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of any inconsistencies.

Section 3: The provisions of this ordinance are severable. If any part of this ordinance is declared to be unconstitutional or invalid by any court, the remaining parts of this ordinance will remain in full force and effect.

Section 4: This ordinance will take effect upon final approval and publication, according to law.

Introduced and passed first reading:

Passed second reading:

ATTEST:

Lorraine L. McMackin, Borough Clerk

APPROVED BY:

James P. Barsa, Mayor

114292926v1

BOROUGH OF NORWOOD
ORDINANCE No. 16:12

VACATING PENFIELD STREET IN THE BOROUGH OF NORWOOD

WHEREAS, Penfield Street is shown on the zoning map and tax map of the Borough of Norwood ("Borough") as a 50 foot wide public roadway in the Borough located between Belden Place (a 50-foot wide roadway) and lot 11 in block 145, as described on the portion of the Borough's tax map attached as Schedule A (hereinafter "Penfield Street"); and

WHEREAS, the Mayor and Council finds that Penfield Street was dedicated to public use but was not accepted by the Borough, and that it no longer is necessary for use among the Borough's streets and highways; and

WHEREAS, it appears that the public interest would be best served by the adoption of this ordinance releasing and vacating Penfield Street from the dedication to street and public highway use.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough, in accordance with provisions N.J.S.A. 40:67-1(b), N.J.S.A. 40:67-19, and N.J.S.A. 40:55D-32, as follows:

SECTION 1: Penfield Street is vacated as a public street, and the rights of the public therein are released and extinguished, except all existing rights and privileges of any public utilities, as defined in N.J.S.A. 48:2-13; any cable television company, as defined in the "Cable Television Act," P.L. 1972, C. 186 (C48:5A-1) et seq.); the Borough; the Bergen County Utilities

Authority and their successors, to maintain, repair, and replace their existing facilities in, adjacent to, over, or under the portion of the street that is vacated by this ordinance.

SECTION 2: The Borough's tax map and zoning map are amended and revised to the extent necessary to delete any reference to any portion of Penfield Street as a public street.

SECTION 3: All ordinances or parts of ordinances that are inconsistent with the provisions of this ordinance are repealed, but only to the extent of any inconsistencies.

SECTION 4: The provisions of this ordinance are severable. If any part of this ordinance is declared to be unconstitutional or invalid by any court, the remaining parts of this ordinance will remain in full force and effect.

SECTION 5: This ordinance will take effect immediately upon final passage and publication as required by law. This ordinance will be recorded in the appropriate book of road vacations in the County of Bergen, as required by N.J.S.A. 40:67-21, and copies will be served on the Bergen County Planning Board and the Borough's Tax Assessor within 30 days of adoption.

Introduced and passed first reading: June 8, 2016

Passed second reading: July 13, 2016

ATTEST: APPROVED BY:

Lorraine L. McMackin, Borough Clerk James P. Barsa, Mayor

114351046v1

SCHEDULE A

BOROUGH OF NORWOOD
ORDINANCE No. 16:13

An Ordinance Amending Chapter 68 of the Code of the Borough of Norwood to Regulate Advertising Without Consent

WHEREAS, this ordinance's purpose is to amend the Code of the Borough of Norwood to prohibit the display of advertising on property without the owner's consent to advance the health, safety, and welfare of the residents and businesses in the Borough, as authorized by N.J.S.A. 40:48-2.66.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Norwood as follows:

Section 1: A new Section 68-3 is added to Chapter 68 to the Code of the Borough of Norwood, titled "Advertising and other Printed Matter," to state as follows:

§68-3. Display of Temporary or Commercial Business Advertising Without Consent.

A. No person may post or otherwise display any temporary commercial or business advertisement, to induce directly or indirectly any person to enter into any obligation or acquire title or interest in any property, object, ware, good, commodity, or service, on any real property located within the Borough, or any building, pole, post, or other structure on the property, without the prior written permission of the owner of record for the property, or the building or other structure thereon. This subsection does not apply to a person posting or otherwise displaying a temporary advertisement containing information and directional indicators inviting the public to purchase or lease real property at a real estate open house or similar event for that property.

B. This section will be enforced by the Borough's construction code official. Any person may report a violation to the construction code official for enforcement.

C. The Borough's Department of Public Works may remove any advertisement posted or displayed in violation of this section upon the conviction of the person violating this section.

D. In addition to the removal under Subsection C, if upon investigation the construction code official finds probable cause of a violation of this section, he or

she will notify the person who posted or otherwise displayed the advertisement, or the business identified in the advertisement, of the alleged violation. The notice will be served by hand delivery or regular mail and will state that if the violation is not cured within 10 days of the date of the notice that the Borough will remove the advertising and will charge the violator for the cost of the removal.

E. Whenever the Borough removes, or cause to be removed, an advertisement pursuant to this section, the Borough may present the person who posted or otherwise displayed the removed advertisement, or the business advertised in the removed advertisement, by certified and regular mail, a detailed itemization of the costs of removal incurred by the Borough, requiring a reimbursement by that person or business of the removal costs. If the person or business does not provide reimbursement within 30 days of receipt of the municipal itemization, the Borough may enforce the payment of these costs, together with interest and reasonable collection costs, by instituting an action at law for the collection thereof. The Superior Court, or the municipal court, shall have jurisdiction of any collection action.

F. The money collected by the Borough for advertisement removal shall be credited, along with any other funds made available, to a municipal advertisement removal fund, established pursuant to this ordinance. The expenditure of money from the fund will be used exclusively to remove advertisements and otherwise enforce the provisions of this section, and to administer the fund.

G. Any person convicted of violating the terms of this section will be subject to the penalties set forth in Chapter 174 of this Code in addition to the cost of removal incurred by the Borough.

Section 2: All ordinances or parts of ordinances that are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of any inconsistencies.

Section 3: The provisions of this ordinance are severable. If any part of this ordinance is declared to be unconstitutional or invalid by any court, the remaining parts of this ordinance will remain in full force and effect.

Section 4: This ordinance will take effect upon final approval and publication, according to law.

Introduced and passed first reading: June 8, 2016

Passed second reading: July 13, 2016

ATTEST:

APPROVED BY:

Lorraine L. McMackin, Borough Clerk

James P. Barsa, Mayor

114208347v1